

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SUSAN HYLTON,

Plaintiff,

v.

CV No. 19-1155 KWR/CG

BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF DONA ANA, et al.,

Defendants.

**ORDER SETTING TELEPHONIC STATUS CONFERENCE
AND ZOOM SETTLEMENT CONFERENCE**

To facilitate a final disposition of this case, a mandatory settlement conference will be conducted in accordance with Federal Rule of Civil Procedure 16(a)(5). Due to the ongoing uncertainty created by the Covid-19 pandemic, and the likelihood that the need for social distancing will continue through the date of the scheduled settlement conference in this case, the Court will hold the upcoming settlement conference via Zoom.

The settlement conference will be held via Zoom on **July 21, 2020, at 9:00 a.m.** A telephonic status conference will be held on **July 16, 2020, at 1:30 p.m.** to discuss the parties' positions.

IT IS HEREBY ORDERED that the parties and a designated representative, other than counsel of record, with full authority to resolve the case, must attend the settlement conference; counsel who will try the case must also attend. All attorneys and parties involved in the settlement conference must treat as confidential the information discussed, positions taken, and offers made by other participants in preparation for and during the conference. Each individually named Defendant is not required to attend the

Settlement Conference. However, Defendants must have an individual with full authority to resolve the case present during the Settlement Conference to serve on behalf of the Doña Ana County Board of County Commissioners.

IT IS FURTHER ORDERED that:

1. By **Monday, June 29, 2020**, Plaintiff's counsel shall serve on Defendants' counsel a concise letter that sets forth a settlement demand itemizing the principle supporting damages or other relief that Plaintiff asserts would appropriately be granted at trial.
2. By **Monday, July 6, 2020**, Defendants' counsel shall serve on Plaintiff's counsel a concise letter that sets forth a response to the settlement demand.
3. By **Friday, July 10, 2020, at 12:00 p.m.**, each party shall provide to the Court:
 - a. A copy of each letter that was sent to an opposing party;
 - b. A confidential, concise letter containing an analysis of the strengths and weaknesses of its case; and
 - c. Any video or audio recordings of the incident upon which this action is based.
 - d. This letter should also contain the email addresses and phone numbers for all participants in the settlement conference. This contact information will be used to send the invitation to attend the settlement conference via Zoom.

These materials may be submitted to the Court by email at garzaschambers@nmd.uscourts.gov.

4. Each of these letters typically should be five (5) pages or fewer, and counsel will ensure that each party reads the opposing party's letter before the settlement conference.
5. Before **July 16, 2020, at 1:30 p.m.**, counsel shall confer with one another about their clients' respective positions.
6. On **July 16, 2020, at 1:30 p.m.**, counsel shall call Judge Garza's AT&T line at (877) 810-9415, follow the prompts, and enter access code 7467959, for a pre-settlement telephonic status conference.

7. The Court will send all participants a personal invitation to the Zoom meeting once it receives settlement materials from the parties.

A party must show good cause to vacate or reschedule the settlement conference. Any such request must provide the Court with sufficient notice to ensure that other matters may be scheduled in the time allotted for the settlement conference.

IT IS FINALLY ORDERED that Doña Ana County Detention staff and contractors must ensure Plaintiff is provided complete privacy and confidentiality for the duration of the settlement conference. Plaintiff shall be allowed to participate in the settlement conference via Zoom in a private room on her own. No other person, including jail security staff, shall be allowed in the room for the duration of the settlement conference. The computer or tablet used for the Zoom conference shall not be monitored or recorded by any person.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', is written over a horizontal line.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE

Participating via Zoom

In order to participate via Zoom, each of you (and any other individual participating) will need to have the Zoom app installed on your computer or smart phone. You can download the app for free at <https://zoom.us>.

Zoom device requirements:

1. An internet-enabled device with a camera and mic, such as a tablet, smartphone, or computer.
2. An internet connection – broadband wired or wireless (3G or 4G/LTE).
3. Speakers and a microphone – built-in or USB plug-in or wireless Bluetooth.
4. A webcam or HD webcam – built-in or USB plug-in.

If you've never used Zoom before, please review the following short instructional videos to become acquainted with the basics:

1. [How to Join a Meeting](#)
2. [Joining & Configuring Audio & Video](#)
3. If you receive a message that you are waiting for the host to start this meeting, it means that the host has not started the meeting. You have successfully connected to Zoom, and the meeting will begin as soon as the host starts the session.

If there is some reason you or your client cannot participate via Zoom, then please contact Chambers at garzaschambers@nmd.uscourts.gov or call (575) 528-1670 to discuss options.